

THE MUNICIPAL COURT OF SEATTLE
Edward McKenna
Presiding Judge



April 25, 2019

Dear Mr. Holmes and Ms. Khandelwal:

I am in receipt of your letter dated April 24, 2019 in which you publicly question my ethics and integrity. As a judge, I have taken an oath to uphold the laws of the City of Seattle and the State of Washington and I take this oath very seriously. The public deserves, and our system of justice demands elected officials that reflect high ethical standards, and we should all have confidence that the justice system is fair, equitable and unbiased.

I am declining your suggestion to step aside as Seattle Municipal Court's Presiding Judge. I was elected to this position by my peers and enjoy continued support from the bench. The court, as the judicial branch of City government, is a separate branch and independently elected and should act free of outside influence. An independent, fair and impartial judiciary is imperative to preserving the principles of justice and rule of law.

The citizenry of Seattle expects and demands that elected leaders work together to solve problems facing our City. Bench/Bar meetings provide an important opportunity to raise and discuss issues impacting the justice system. I hope we can work together as professionals in the best interests of those we serve. The doors of our court remain open for you to attend Bench/Bar meetings and I hope you will reconsider your decision to not attend.

In the interest of promoting public understanding and confidence in our court, I frequently address community groups and organizations and provide educational information on the criminal justice system. Most citizens are appreciative when I provide a judge's perspective on our system of justice. Regarding my participation in the recent City Maker breakfast referenced in your letter, I deny making a statement suggesting that I personally felt "bound to follow the prosecutor's recommendation's 99 percent of the time." Further, the record does not support any suggestion or inference that I disregard the advocacy of defense counsel.

I frequently invite members of the public to visit our courts to see how our system actually works. I categorically deny your allegations that I have violated the Canons of Judicial Conduct by initiating invitations to my court and by pre-determining a sentence. Both individuals you reference have publicly denied any invitation on my part to observe the case or any form of sentencing collusion as you infer.

With respect to any other allegations in your letter, the specifics are too vague for a detailed reply. However, if you wish to provide me with information on hearings or trials that my statements have interfered with, I will certainly review the matters and respond appropriately.

May I also remind each of you of your ethical obligations to maintain the integrity of your profession. Rule 8.2 of the Rules of Professional Conduct provides: "A lawyer shall not make a statement that the lawyer knows to be false or with reckless disregard as to its truth or falsity concerning the qualifications, integrity or record of a judge..."

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I intend no actions and I'm not asking you for an apology. I simply ask that each of you initiate an effort to publicly correct your errors.

Sincerely,

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke.

Edward McKenna, Presiding Judge
Seattle Municipal Court

Cc: Seattle Municipal Court Judges